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UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

NO. 16-3531

LISA MILTENBERGER, PETITIONER,

v.

ROBERT A. McDONALD,
SECRETARY OF VETERANS AFFAIRS, RESPONDENT.

Before PIETSCH, *Judge*.

ORDER

*Note: Pursuant to U.S. Vet. App. R. 30(a),
this action may not be cited as precedent.*

On October 19, 2016, Ms. Miltenberger filed, through counsel, a petition for extraordinary relief in the nature of a writ of mandamus. She alleged that VA had not proceeded expeditiously, following this Court's approval of a joint motion for partial remand in March 2014, in adjudicating claims for service-connected disability compensation for diabetes mellitus, Type II (diabetes), and multiple myeloma, with respect to her late husband, Clyde W. Miltenberger. *See* Docket No. 12-1096.

On October 28, 2016, the Court directed the Secretary to respond to the petition.

On November 18, 2016, the Secretary responded, providing evidence that the VA regional office, on November 16, 2016, granted service connection for diabetes, with a 20% disability rating effective April 30, 2008, and for multiple myeloma, with a 100% disability rating effective April 30, 2008. The Secretary indicated that past-due benefits will be issued to the petitioner shortly.

Upon consideration of the foregoing, it is

ORDERED that the petition is DISMISSED as moot.

DATED: November 30, 2016

BY THE COURT:



CORAL WONG PIETSCH
Judge

Copies to:

Maxwell D. Kinman, Esq.

VA General Counsel (027)